

HOUSE BILL NO. HB0103

Housing authority.

Sponsored by: Representative(s) Schwartz and Gierau

A BILL

for

1 AN ACT relating to municipalities and counties; amending
2 powers which may be exercised by a housing authority;
3 authorizing the appointment of additional commissioners to
4 a regional housing authority as specified; authorizing
5 staggered terms for regional housing authority
6 commissioners; and providing for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 15-10-115(a)(intro) and 15-10-116(b),
11 (c)(intro), (iii) and (f) are amended to read:

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13 **15-10-115. Powers which may be exercised by**
14 **municipality or county or by authority.**

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1 (a) Except as otherwise provided by this subsection,
2 a municipality or county may exercise its housing project
3 powers or, if its governing body determines such action to
4 be in the public interest, may establish a housing
5 authority pursuant to W.S. 15-10-116 and elect to have
6 ~~these~~ such housing project powers, as the governing body
7 determines appropriate, exercised by it. A housing
8 authority so established ~~is vested with all~~ shall have the
9 powers conferred by this chapter on municipalities and
10 counties as authorized by the governing body of the
11 municipality or county, except that the following functions
12 ~~must~~ shall be exercised by the municipality or county
13 itself:

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15 **15-10-116. Housing authority; creation; form;**
16 **commissioners; proceedings; officers, agents; proof of**
17 **establishment.**

18
19 (b) If the governing body of each of two (2) or more
20 municipalities or counties, or combinations of
21 municipalities and counties, has made the finding
22 prescribed in W.S. 15-10-102, has taken the necessary
23 action to cooperate with one another and has elected as

1 provided in W.S. 15-10-115 to have its housing project
2 powers exercised by a housing authority created for all the
3 municipalities or counties so joining or cooperating, a
4 public body corporate and politic to be known as a regional
5 housing authority shall thereupon exist for all these
6 municipalities or counties or combinations thereof.
7 Additional municipalities or counties may elect to have the
8 regional authority exercise their powers as provided in
9 W.S. 15-10-115 upon taking the actions specified in this
10 subsection, and with the consent, by resolution, of all the
11 municipalities and counties having elected to have their
12 powers exercised by the regional authority.

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14 (c) If a housing authority has been created and
15 authorized by a municipality or county to exercise its
16 housing project powers as provided in W.S. 15-10-115,
17 commissioners of the authority shall be appointed as
18 follows:

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20 (iii) In the case of a regional housing
21 authority, the governing body of each municipality and
22 county participating shall appoint one (1) person as a
23 commissioner of the authority. If only two (2)

1 municipalities or counties or a combination thereof are
2 participating, the commissioners appointed by the governing
3 bodies of the participants shall appoint one (1) additional
4 commissioner unless the governing bodies of the
5 participants agree to each appoint one (1) additional
6 commissioner, in which case the four (4) commissioners
7 appointed by the two (2) governing bodies of the
8 participants shall appoint one (1) additional commissioner,
9 if authorized by the governing bodies to do so. If three
10 (3) or four (4) municipalities or counties or a combination
11 thereof are participating, the commissioners appointed by
12 the governing bodies of the participants may, upon
13 authorization of a majority of the governing bodies,
14 appoint additional commissioners provided that the
15 authority shall not exceed five (5) commissioners. The
16 commissioners of a regional authority shall be appointed
17 for terms of five (5) years, except that all vacancies
18 shall be filled for the unexpired term and upon formation
19 of the regional housing authority, the governing bodies of
20 each municipality and county participating may, with
21 unanimous consent, stagger the initial terms of the
22 commissioners;

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1 (f) In any suit, action or proceeding involving the
2 validity or enforcement of or relating to any contract of
3 the authority, an authority is conclusively deemed to be
4 established and authorized to transact business and
5 exercise its powers upon proof of compliance with the
6 provisions of ~~paragraphs~~paragraph (c)(i) or (ii) of this
7 section, as the case may be. A copy of the resolutions
8 required to be adopted by the governing body electing to
9 have its housing project powers exercised by a housing
10 authority as provided in W.S. 15-10-115 shall be filed with
11 the clerk. A copy of the resolution duly certified by the
12 clerk is admissible in evidence in any suit, action or
13 proceeding.

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15 **Section 2.** This act is effective immediately upon
16 completion of all acts necessary for a bill to become law
17 as provided by Article 4, Section 8 of the Wyoming
18 Constitution.

19

20

(END)